

REMARKS/ARGUMENTS

Claim 1 has been amended to incorporate the features recited in claim 4. Other independent claims have been amended in a similar manner. Claims 13, 19-28 and 38-42 have been canceled.

In the Office Action, the Examiner has rejected claims 22-23 and 41-42 under 35 U.S.C. 103(a) as being unpatentable over *Lind et al.* in view of U.S. Patent Publication No. 2003/0216165 (*Singer et al.*). The Examiner's rejection is fully traversed below.

It is respectfully submitted that *Lind et al.* does not teach or suggest: determining a total interim pattern award amount for a player corresponding to the sum of the individual interim pattern awards for the interim patterns matched on a player's unique game array; and adding at least a portion of the total interim pattern award amount to a progressive jackpot pool if the player does not claim at least one of the interim pattern awards within at least one of the sleep time periods which are provided for each one of the interim pattern awards which have been matched by the player's unique game array.

Contrary to the Examiner's assertion, it is respectfully submitted that *Lind et al.* does not teach adding a total interim pattern award amount to a progressive jackpot pool based on a single game array for a player.

Lind et al. seems to teach: "[I]f the player[s] fails to daub their card within a specified short time period (3-10 seconds), any prizes they may have won during the game are forfeited to a progressive prize or to a fund that is given to a charity" (Paragraph 85, emphasis and grammatical correction made). It is respectfully submitted that the Examiner has not provided any factual evidence to the contrary.

Moreover, it is respectfully submitted that *Lind et al.* teaches away from determining a total interim pattern amount because it teaches: "[i]n the instance where a covered card contains more than one winning pattern, only the pattern paying the highest prize may be claimed and paid" (*Lind et al.*, paragraph 96, emphasis added). Accordingly, it is respectfully submitted that *Lind et al.* cannot be combined with another reference or general knowledge known in the art to teach the claimed invention. Claim

1 and other independent claims recite similar features as the features discussed above and are therefore patentable over *Lind et al.*

Based on the foregoing, it is submitted that the claims are patentably distinct over the cited art of record. Additional limitations recited in the independent claims or the dependent claims are not further discussed because the limitations discussed above are sufficient to distinguish the claimed invention from the cited art. Accordingly, Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner.

Applicant hereby petitions for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 500388 (Order No. IGT1P208G). Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
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